

REMARKS

This response is intended as a full and complete response to the final Office Action mailed on August 8, 2006. In the Office Action, the Examiner notes that claims 1-3, 6-7 and 10-21 are pending and rejected.

By this response, Applicants have amended independent claims 1, 2, 19, 20 and 21. No new matter has been added.

In view of both the amendments presented above and the following remarks, Applicants submit that the claims now pending in the application are not anticipated under the provisions of 35 U.S.C. §§102. Thus, Applicants believe that all the claims are allowable.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response including amendments.

REJECTIONS

REJECTION UNDER 35 U.S.C. §102

Claims 1-3, 6-7 and 10-21

The Examiner has rejected claims 1-3 and 6-7 and 10-21 under 35 U.S.C. §102(e) as being anticipated by Pandya et al. (USPN 6,671,724, hereinafter "Pandya").

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing Connell v. Sears, Roebuck & Co., 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). The Pandya reference fails to disclose each and every element of the claimed invention, as arranged in the claim.

Applicants' independent claims 1, 19 and 20 recite:

1. A method for monitoring, from a remote location comprising a monitor and control unit, operations of a head-end in an information distribution system, the method comprising:

receiving at the monitor and control unit status from the head-end relating to operations performed at the head-end;
displaying, via a graphical user interface, at the monitor and control unit the status from the head-end relating to operations performed at the head-end;
providing, via the graphical user interface, a user configurable menu to define error conditions;
providing, via the graphical user interface, an option to activate an audible alert when error conditions are detected;
receiving identities of a plurality of remote devices designated to receive status from the head-end via the monitor and control unit;
receiving an indication of capabilities of each remote device of the plurality of remote devices designated to receive status;
forwarding at least a subset of the received status from the monitor and control unit to the plurality of remote devices, wherein status are forwarded to each remote device of the plurality of remote devices in conformance with the indicated capabilities;
receiving a response message from a particular remote device; and
forwarding the response message to the head-end wherein the received response message from the particular remote device includes a command to adjust at least one parameter of a particular operation performed at the head-end. (emphasis added).

19. A method for monitoring, from a remote location, operation of a head-end in an information distribution system, the method comprising:
at the remote location, receiving information from the head-end relating to one or more operations performed at the head-end, wherein the received information includes status and indications of possible error conditions relating to the one or more operations performed at the head-end;
displaying, via a graphical user interface, at a monitor and control unit the received information;
providing, via the graphical user interface, a user configurable menu to define error conditions;
providing, via the graphical user interface, an option to activate an audible alert when error conditions are detected;
receiving, at the remote location, identities and indications of capabilities of one or more remote devices designated to receive the information relating to the one or more operations performed at the head-end; and
forwarding at least a subset of the received information from the remote location to the one or more remote devices in conformance with the indicated capabilities;
receiving a response message from a particular remote device; and
forwarding the response message to the head-end wherein the received response message from the particular remote device includes a command to adjust at least one parameter of a particular operation performed at the head-end. (emphasis added)

20. A method for remotely monitoring and controlling operation of a head-end in an information distribution system, comprising:
 - maintaining identities and indications of capabilities of one or more remote devices designated to receive information relating to one or more operations performed at the head-end;
 - displaying, via a graphical user interface, at a monitor and control unit the received information;
 - providing, via the graphical user interface, a user configurable menu to define error conditions;
 - providing, via the graphical user interface, an option to activate an audible alert when error conditions are detected;
 - providing, from a remote location to one or more remote devices, status from the head-end relating to one or more operations performed at the head-end in conformance with the indicated capabilities;
 - receiving, at the remote location, from a particular remote device one or more response messages; and
 - adjusting at least one parameter of a particular operation performed at the head-end in accordance with the one or more response messages.(emphasis added).

The present invention is directed, in part, toward a method to allow personnel with a remote device such as a cell phone or pager to receive a status from the head-end via a monitor and control unit and to send a response message back from the remote device to the head-end via the monitor and control unit to adjust a parameter of an operation of the head-end. In an exemplary embodiment, a monitor comprises a graphical user interface to display various information and provide various functionality. (See Applicants' specification, p. 23, II. 1-19.)

Pandya fails to teach or to suggest a graphical user interface, at a monitor and control unit to display the status or received information, provide a user configurable menu to define error conditions or provide an option to activate an audible alert when error conditions are detected relating to one or more operations performed at the head-end, as positively recited in the Applicants' independent claims. At best, Pandya teaches that the messages concerning resource status or network conditions may be provided via email or paging to IT personnel. (See Pandya, col. 19, II. 28-30, emphasis added.)

Moreover, Pandya also fails to teach or suggest providing, via the graphical user interface, a user configurable menu to define error conditions or an option to activate an

audible alert when error conditions are detected. Advantageously, the Applicants' invention provides more flexibility in providing the user configurable menu and the option of activating an audible alert. Consequently in light of the remarks above, Applicants submit that Pandya does not anticipate independent claims 1, 19 and 20. It is believed that independent claims 1, 19 and 20 are allowable under 35 U.S.C. §102.

Furthermore, dependent claims 2-3, 6-7, 10-18 and 21 depend directly or indirectly from independent claims 1, 19 and 20 and recite additional limitations thereof. As such and for at least the same reasons discussed above with respect to independent claims 1, 19 and 20, Applicants submit that these dependent claims are also not anticipated by Pandya and are allowable under 35 U.S.C. §102. Therefore, Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

Applicant submits that claims 1-3 and 6-7, 10-21 are in condition for allowance.
Accordingly, reconsideration and allowance are respectfully solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall or Jimmy Kim at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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